

**MICHIGAN VEHICLE CODE (EXCERPT)**  
**Act 300 of 1949**

CHAPTER I  
WORDS AND PHRASES DEFINED

**257.1 Michigan vehicle code; words and phrases defined.**

Sec. 1. The following words and phrases as defined in this chapter and as herein enumerated when used in this act shall, for the purpose of this act, have the meanings respectively ascribed to them in this chapter.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**Transfer of powers:** See MCL 16.338.

**257.1a "Accessory" defined.**

Sec. 1a. "Accessory" means any accessory, equipment, additional part or replacement part for a vehicle for which a certificate of title is required to be issued under this act.

**History:** Add. 1964, Act 248, Eff. Jan. 1, 1965.

**257.1b "Ambulance" defined.**

Sec. 1b. "Ambulance" means a privately or publicly owned motor vehicle for highway use that is specially designed or constructed and equipped, and is intended to be used for and is maintained or operated for the transportation of persons who are sick, injured, wounded, or otherwise incapacitated or helpless, including dual purpose police patrol cars and funeral coaches or hearses, and which is equipped according to section 7 of Act No. 258 of the Public Acts of 1968, as amended, being section 257.1207 of the Michigan Compiled Laws.

**History:** Add. 1975, Act 100, Eff. July 1, 1976.

**257.1c "Articulated bus" defined.**

Sec. 1c. "Articulated bus" means a vehicle designed for carrying passengers and comprised of 2 sections permanently joined by a hinge mechanism or articulated joint allowing vertical and horizontal relative movement as well as a weathertight passage for riders moving from 1 section of the bus to the other.

**History:** Add. 1988, Act 346, Imd. Eff. Oct. 25, 1988.

**Compiler's note:** Section 2 of Act 346 of 1988 provides:

"(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

"(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

"(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act."

Section 2 of Act 173 of 1989 provides:

"(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

"(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed."

**257.1d "Alcoholic liquor" defined.**

Sec. 1d. "Alcoholic liquor" means any liquid or compound, whether or not medicated, proprietary, patented, and by whatever name called, containing any amount of alcohol including any liquid or compound described in section 105(2) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1105.

**History:** Add. 2003, Act 61, Eff. Sept. 30, 2003;—Am. 2004, Act 62, Eff. May 3, 2004.

**257.2 "Authorized emergency vehicle" defined; additional definitions.**

Sec. 2. (1) "Authorized emergency vehicle" means any 1 of the following:

(a) Vehicles of the fire department, police vehicles, ambulances, privately owned motor vehicles of volunteer or paid fire fighters, or volunteer members of an emergency rescue unit if authorized by the chief of an organized fire department, a county sheriff, or the director of the department of state police, or privately owned motor vehicles of volunteer or paid members of a life support agency licensed by the department of licensing and regulatory affairs if authorized by the life support agency.

(b) For purposes of section 698(5)(c) during an emergency, a vehicle owned and operated by a federally recognized nonprofit charitable organization that is used exclusively for assistance during that emergency.

(c) For purposes of section 653a, a road service vehicle giving a visual signal by means of a flashing, rotating, or oscillating red or amber light. As used in this subdivision, "road service vehicle" means a vehicle that is clearly marked and readily recognizable as a vehicle used to assist disabled vehicles.

(2) As used in this section:

(a) "Emergency rescue unit" means an entity with training in a specialized discipline exceeding the level of training for medical first responders.

(b) "Life support agency" means that term as defined in section 20906 of the public health code, 1978 PA 368, MCL 333.20906.

(c) "Medical first responder" means that term as defined in section 20906 of the public health code, 1978 PA 368, MCL 333.20906.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1956, Act 11, Imd. Eff. Mar. 9, 1956;—Am. 1975, Act 100, Eff. July 1, 1976;—Am. 1976, Act 347, Imd. Eff. Dec. 21, 1976;—Am. 1997, Act 8, Imd. Eff. May 16, 1997;—Am. 2004, Act 19, Eff. June 2, 2004;—Am. 2011, Act 231, Imd. Eff. Nov. 22, 2011.

#### **257.2a "Automotive recycler" defined.**

Sec. 2a. "Automotive recycler" means a person who engages in business primarily for the purpose of selling at retail salvage vehicle parts and secondarily for the purpose of selling at retail salvage motor vehicles or manufacturing or selling a product of gradable scrap metal.

**History:** Add. 1993, Act 300, Eff. Jan. 1, 1994.

#### **257.3 "Axle" defined.**

Sec. 3. "Axle" means the common axis of rotation of 1 or more wheels whether power driven or freely rotating, and whether in 1 or more segments and regardless of the number of wheels carried thereon.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.3a "Basic driver improvement course" defined.**

Sec. 3a. "Basic driver improvement course" means a course of study that satisfies all of the following conditions:

(a) It meets or exceeds the curriculum standards set forth in the defensive driving course instructor manual, eighth edition, published by the national safety council.

(b) It provides documented evidence from a federal, state, or local government agency of course effectiveness in reducing collisions, moving violations, or both.

(c) It includes not less than 4 hours of instruction.

(d) It contains such other information as is approved by the secretary of state, with or without supporting DVD material, and that is offered over the internet or through classroom instruction.

**History:** Add. 2008, Act 568, Eff. Dec. 31, 2008;—Am. 2012, Act 498, Eff. Mar. 28, 2013.

#### **257.4 "Bicycle" defined.**

Sec. 4. "Bicycle" means a device propelled by human power upon which a person may ride, having either 2 or 3 wheels in a tandem or tricycle arrangement, all of which are over 14 inches in diameter.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1971, Act 151, Imd. Eff. Nov. 22, 1971;—Am. 1975, Act 209, Imd. Eff. Aug. 25, 1975;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977.

#### **257.4a "Birthday" defined.**

Sec. 4a. "Birthday" shall mean any anniversary of the original date of birth, and all persons born on February 29 shall be deemed, for the purposes of this act, to have been born on March 1.

**History:** Add. 1953, Act 215, Eff. Oct. 2, 1953.

#### **257.4b "Bus" defined.**

Sec. 4b. "Bus" means a motor vehicle designed for carrying 16 or more passengers, including the driver. Bus does not include a school bus.

**History:** Add. 1964, Act 89, Eff. Aug. 28, 1964;—Am. 1980, Act 174, Imd. Eff. June 23, 1980;—Am. 1988, Act 346, Imd. Eff. Oct. 25, 1988.

#### **257.4c "Buy back vehicle" defined.**

Sec. 4c. "Buy back vehicle" means a motor vehicle reacquired by a manufacturer as the result of an arbitration proceeding, pursuant to a customer satisfaction policy adopted by the manufacturer, or under 1986 PA 87, MCL 257.1401 to 257.1410, or a similar law of another state.

**History:** Add. 2002, Act 652, Eff. Jan. 1, 2003.

#### **257.5 "Business district" and "commercial business" defined.**

Sec. 5. (1) "Business district" means an area contiguous to a highway where the total widths of the adjacent

buildings in use for commercial business open to the general public on both sides occupy 50% or more of the total frontage on both sides for a distance of 600 feet or more.

(2) As used in this section, "commercial business" does not include a home-based business conducted from a residence or domicile, but does include a multi-use building in which a commercial business open to the general public is operated on the ground floor and residential apartments exist on upper floors.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 2006, Act 85, Eff. Nov. 9, 2006.

#### **257.5a "Cancellation" defined.**

Sec. 5a. "Cancellation" means that a license or registration is annulled and terminated because of some error or defect or because the licensee or registrant is no longer entitled to such license or registration, but the cancellation of a license or registration is without prejudice and application for a new license or registration may be made at any time after such cancellation.

**History:** Add. 1951, Act 270, Eff. Sept. 28, 1951.

#### **257.6 "Chauffeur" defined.**

Sec. 6. (1) Except as otherwise provided in subsection (3), "chauffeur" means any of the following:

(a) A person who operates a motor vehicle as a motor common carrier of property or a motor contract carrier of property as defined in section 1(f) and (h) of the motor carrier act, 1933 PA 254, MCL 475.1, or a motor carrier of passengers as defined in section 3 of the motor bus transportation act, 1982 PA 432, MCL 474.103.

(b) A person who is employed for the principal purpose of operating a motor vehicle with a GVWR of 10,000 pounds or more.

(c) A person who operates a bus or school bus.

(d) A person who operates a taxi.

(e) A person who operates a limousine as defined by section 3 of the limousine transportation act, 1990 PA 271, MCL 257.1903.

(2) For purposes of subsection (1)(b), a person shall be considered to be employed for the principal purpose of operating a motor vehicle when the person's employment customarily involves the necessary use of a motor vehicle for hire or for transporting passengers for hire, or for transporting for gain or hire any merchandise for display, sale, or delivery.

(3) "Chauffeur" does not include any of the following:

(a) A farmer or an employee of a farmer operating a vehicle exclusively in connection with the farming operations of the farmer.

(b) A fire fighter or a member of a fire department operating an ambulance.

(c) Emergency medical services personnel operating an ambulance. As used in this subdivision, "emergency medical services personnel" means that term as defined in section 20904 of the public health code, 1978 PA 368, MCL 333.20904.

(d) State transportation department employees whose work consists of operating vehicles with a gross vehicle weight rating of 10,000 pounds or more for the purpose of transporting highway and bridge maintenance materials and supplies for all aspects of state trunkline maintenance, including winter maintenance and facilities maintenance.

(e) County road commission employees and other employees of local units of government who do not drive their own vehicles and whose work consists of hauling road building materials and supplies for the road commission or for other municipal purposes.

(f) A person operating a motor vehicle for a volunteer program who only receives reimbursement for the costs of operating the motor vehicle.

(g) A person who operates a motor home for personal pleasure.

(h) A parent or parent's designee for the purpose of transporting pupils to or from school and school related events.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1980, Act 154, Imd. Eff. June 12, 1980;—Am. 1990, Act 188, Eff. Aug. 15, 1990;—Am. 1992, Act 134, Eff. Oct. 1, 1992;—Am. 1992, Act 297, Imd. Eff. Dec. 18, 1992;—Am. 2002, Act 534, Eff. Oct. 1, 2002.

#### **257.6a "Civil infraction" defined.**

Sec. 6a. "Civil infraction" means an act or omission prohibited by law which is not a crime as defined in section 5 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.5 of the Michigan Compiled Laws, and for which civil sanctions may be ordered.

**History:** Add. 1978, Act 510, Eff. Aug. 1, 1979.

**257.6b "Civil infraction determination" defined.**

Sec. 6b. "Civil infraction determination" means a determination that a person is responsible for a civil infraction by 1 of the following:

(a) An admission of responsibility for the civil infraction.

(b) An admission of responsibility for the civil infraction, "with explanation".

(c) A preponderance of the evidence at an informal hearing or formal hearing on the question under section 746 or 747.

(d) A default judgment, for failing to appear as directed by a citation or other notice, at a scheduled appearance under section 745(3) (b) or (4), at a scheduled informal hearing under section 746, or at a scheduled formal hearing under section 747.

**History:** Add. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 66, Eff. Aug. 1, 1979.

**257.6c "Civic event" defined.**

Sec. 6c. "Civic event" means a convention, conference, pageant, parade, special athletic contest, commemoration, gathering, assemblage, or similar function.

**History:** Add. 1987, Act 151, Imd. Eff. Oct. 29, 1987.

**257.6d "Collector plate" defined.**

Sec. 6d. "Collector plate" means a plate that contains a reproduction of every characteristic of a specific registration plate except for the number and letter characters, which shall be determined by the secretary of state, and that is sold as described in section 811g. A collector plate is not a registration plate.

**History:** Add. 2000, Act 77, Eff. Oct. 1, 2000.

**257.7 "Commercial vehicle" defined.**

Sec. 7. "Commercial vehicle" includes all motor vehicles used for the transportation of passengers for hire, or constructed or used for transportation of goods, wares or merchandise, and/or all motor vehicles designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.7a "Commercial motor vehicle" defined.**

Sec. 7a. "Commercial motor vehicle" means a motor vehicle designed to transport 16 or more passengers, including the driver; a motor vehicle, having a gross vehicle weight rating of 26,001 or more pounds; a motor vehicle with a gross combination weight rating of 26,001 pounds or more including a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or a motor vehicle carrying hazardous material and on which is required to be posted a placard as defined and required under 49 C.F.R. parts 100 to 199. A commercial motor vehicle does not include a vehicle used exclusively to transport personal possessions or family members for nonbusiness purposes.

**History:** Add. 1988, Act 346, Imd. Eff. Oct. 25, 1988;—Am. 1989, Act 280, Imd. Eff. Dec. 26, 1989;—Am. 1991, Act 100, Eff. Jan. 1, 1993;—Am. 2002, Act 534, Eff. Oct. 1, 2002.

**Compiler's note:** Section 2 of Act 346 of 1988 provides:

"(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

"(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

"(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act."

Section 2 of Act 173 of 1989 provides:

"(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

"(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed."

**257.8 "Commissioner" defined.**

Sec. 8. "Commissioner" means the commissioner of Michigan state police of this state, acting directly or through his duly authorized officers, agents and employees.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.8a "Conviction" defined.**

Sec. 8a. "Conviction" means any of the following:

(a) A final conviction, the payment of a fine, a plea of guilty or nolo contendere if accepted by the court, or a finding of guilt for a criminal law violation or a juvenile adjudication, probate court disposition, or juvenile  
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disposition for a violation that if committed by an adult would be a crime, regardless of whether the penalty is rebated or suspended.

(b) A conviction defined in federal law under 49 CFR 383.5, regarding the operation of a commercial motor vehicle or the operation of a noncommercial motor vehicle operated by a person licensed to operate a commercial motor vehicle.

**History:** Add. 1967, Act 226, Eff. Nov. 2, 1967;—Am. 1991, Act 99, Eff. Jan. 1, 1992;—Am. 1993, Act 359, Eff. Sept. 1, 1994;—Am. 1994, Act 449, Eff. May 1, 1995;—Am. 1998, Act 356, Eff. Oct. 1, 1999;—Am. 2004, Act 362, Imd. Eff. Oct. 4, 2004.

#### **257.8b “Controlled substance” defined.**

Sec. 8b. “Controlled substance” means a controlled substance or controlled substance analogue as defined in section 7104 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.7104 of the Michigan Compiled Laws.

**History:** Add. 1976, Act 285, Eff. Apr. 1, 1977;—Am. 1988, Act 346, Eff. Jan. 1, 1990;—Am. 1993, Act 359, Eff. Sept. 1, 1994.

**Compiler's note:** Section 2 of Act 346 of 1988 provides:

“(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

“(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

“(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act.”

Section 2 of Act 173 of 1989 provides:

“(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

“(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed.”

#### **257.9 “County jail” defined.**

Sec. 9. “County jail” as referred to in this act shall be construed to mean the county jail of any county where the violation of any of the provisions of this act occur.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1985, Act 53, Imd. Eff. June 14, 1985.

#### **257.10 “Cross-walk” defined.**

Sec. 10. “Cross-walk” means: (a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable highway.

(b) Any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.11 “Dealer” defined.**

Sec. 11. (1) Except as otherwise provided in this section, “dealer” means a person who is 1 or more of the following:

(a) A person who in a 12-month period did 1 or more of the following:

(i) Engaged in the business of purchasing, selling, exchanging, brokering, leasing, or dealing in vehicles of a type required to be titled under this act.

(ii) Engaged in the business of purchasing, selling, exchanging, brokering, or dealing in salvageable parts of 5 or more vehicles.

(iii) Engaged in the business of buying 5 or more vehicles to sell vehicle parts or process into scrap metal.

(b) A person engaged in the actual remanufacturing of engines or transmissions.

(2) There is a rebuttable presumption that a person who in a 12-month period buys and sells, exchanges, brokers, leases, or deals in 5 or more vehicles, or buys and sells, exchanges, brokers, or deals in salvageable parts for 5 or more vehicles, or buys 5 or more vehicles to sell vehicle parts or to process into scrap metal is engaged in a business of being a dealer as described in subsection (1).

(3) Dealer does not include any of the following:

(a) A financial institution, as defined in section 10 of 1909 PA 99, MCL 129.40, or an entity wholly owned by 1 or more financial institutions.

(b) A bank holding company.

(c) A person who buys or sells remanufactured vehicle engine and transmission salvageable vehicle parts or who receives in exchange used engines or transmissions if the primary business of the person is the selling of new vehicle parts and the person is not engaged in any other activity that requires a dealer license under this act.



(d) For purposes of dealer licensing, a person who negotiates the lease of a vehicle of a type required to be titled under this act for a lease term of less than 120 days.

(e) A person whose business is the financing of the purchase, sale, or lease of vehicles of a type required to be titled under this act and that is not otherwise engaged in activities of a dealer as described in subsection (1).

(f) An employee or agent of a dealer acting in the scope of his or her employment or agency.

(g) An insurer, as defined in section 106 of the insurance code of 1956, 1956 PA 218, MCL 500.106.

(h) A person engaged in leasing vehicles solely for commercial or other nonhousehold use.

(i) A lessor selling 1 or more off lease vehicles.

(j) A person who has received a vehicle under section 252g(3)(a) for the purpose of selling that vehicle to a dealer licensed under this act.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 507, Eff. July 1, 1979;—Am. 1990, Act 154, Imd. Eff. June 28, 1990;—Am. 2002, Act 652, Eff. Jan. 1, 2003;—Am. 2003, Act 37, Imd. Eff. July 3, 2003;—Am. 2008, Act 539, Imd. Eff. Jan. 13, 2009.

#### **257.11a “Demonstrator” defined.**

Sec. 11a. “Demonstrator” means a motor vehicle used by a prospective customer or a motor vehicle dealer or his agent for testing and demonstration purposes.

**History:** Add. 1975, Act 314, Imd. Eff. Dec. 22, 1975.

#### **257.11b “Dealer license” defined.**

Sec. 11b. “Dealer license” means an authorization from the secretary of state for a person to engage in business as a dealer.

**History:** Add. 1978, Act 507, Eff. July 1, 1979.

#### **257.12 “Department” defined.**

Sec. 12. “Department” means the department of state.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1953, Act 215, Eff. Oct. 2, 1953;—Am. 1978, Act 139, Eff. May 1, 1979.

#### **257.12a “Distressed vehicle” defined.**

Sec. 12a. “Distressed vehicle” means a vehicle that has a major component part that has been wrecked, destroyed, damaged, stolen, or missing to the extent that the total estimated cost of repairs to rebuild or reconstruct the vehicle, including parts and labor, is equal to or exceeds 75% of the actual cash value of the vehicle in its predamaged condition. The estimated costs of the repair parts shall be determined by using the current published retail cost of original manufacturer equipment parts or an estimate of the actual cost of the repair parts. The estimated labor costs shall be computed by using the hourly rate and time allocations which are reasonable and commonly assessed in the repair industry in the community where the repairs are performed. For the purpose of this section, “actual cash value” means the retail dollar value of a vehicle as determined by an objective vehicle evaluation using local market resources such as dealers or want ads or by an independent vehicle evaluation or appraisal service or by a current issue of a nationally recognized used vehicle guide for financial institution appraisal purposes in this state.

**History:** Add. 1978, Act 507, Eff. July 1, 1979;—Am. 1993, Act 300, Eff. July 1, 1994.

#### **257.12b “Distressed vehicle transporter” defined.**

Sec. 12b. “Distressed vehicle transporter” means a person engaged in the business of buying vehicles for sale only to a used vehicle parts dealer or a vehicle scrap metal processing dealer. A distressed vehicle transporter shall not sell major components or other parts for vehicle repair purposes, and shall not dismantle vehicles.

**History:** Add. 1978, Act 507, Eff. July 1, 1979.

#### **257.13 “Driver” defined.**

Sec. 13. “Driver” means every person who drives or is in actual physical control of a vehicle.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.13a “Elected gross weight” defined.**

Sec. 13a. Elected gross weight means the empty weight of a vehicle or combination of vehicles, fully equipped for service, plus the weight of the maximum load which the owner has elected to carry on such vehicle or combination of vehicles.

**History:** Add. 1967, Ex. Sess., Act 3, Imd. Eff. Nov. 15, 1967.

#### **257.13b “Empty weight” defined.**

Sec. 13b. Empty weight means the shipping weight of a vehicle as furnished by the manufacturer or in lieu thereof, the scale weight taken from a weight receipt furnished by the weighmaster operating scales approved and sealed by the state department of agriculture. For commercial vehicles empty weight shall also mean fully equipped for the use for which the vehicle is intended.

**History:** Add. 1967, Ex. Sess., Act 3, Imd. Eff. Nov. 15, 1967.

#### **257.13c "Electric personal assistive mobility device" defined.**

Sec. 13c. "Electric personal assistive mobility device" means a self-balancing nontandem 2-wheeled device, designed to transport only 1 person at a time, having an electrical propulsion system with average power of 750 watts or 1 horsepower and a maximum speed on a paved level surface of not more than 15 miles per hour.

**History:** Add. 2002, Act 494, Imd. Eff. July 3, 2002.

#### **257.13d "Electric carriage" defined.**

Sec. 13d. "Electric carriage" means a horse-drawn carriage that has been retrofitted to be propelled by an electric motor instead of by a horse and that is used to provide taxi service.

**History:** Add. 2013, Act 36, Imd. Eff. May 21, 2013.

#### **257.14 "Established place of business" defined.**

Sec. 14. (1) Except as provided in subsections (2) and (3), "established place of business" means the place actually occupied either continuously or at regular periods by a dealer or manufacturer where his or her books and records are kept and a large share of his or her business transacted.

(2) Established place of business for a class (a) or class (b) dealer means premises that meet all of the following requirements:

(a) The premises contain, except as otherwise provided in this act, a permanently enclosed building or structure either owned, leased, or rented by a dealer, which is not a residence, tent, temporary stand, or any temporary quarters; the building or structure is continuously occupied in good faith for the purpose of selling, buying, trading, leasing, or otherwise dealing in motor vehicles; all books, records, and files necessary to conduct the business of a class (a) or class (b) dealer are maintained in the building or structure; and the building or structure houses an office of at least 150 square feet in size, equipped with standard office furniture, working utilities, a working restroom, and a working telephone listed in the name of the business on the dealer's license.

(b) The premises have land space of no less than 1,300 square feet to accommodate the display of a minimum of 10 vehicles of the kind and type that the dealer is licensed to sell and an additional 650 square feet for customer parking. The display and customer parking areas shall be adequately surfaced and well-lit during business hours.

(c) The premises are identified by an exterior sign displaying the name of the dealership that is permanently affixed to the building or land with letters clearly visible from a highway.

(d) The premises contain a conspicuous posting of the dealer's regular hours of operation. The posted hours shall be not less than 30 hours per week.

(e) The premises contain a registered repair facility on site for the repair and servicing of motor vehicles of a type sold at the established place of business, unless the dealer has entered into a written servicing agreement with a registered repair facility at a location not to exceed 10 miles' distance from the established place of business. If repairs are conducted pursuant to a servicing agreement, the servicing agreement shall be conspicuously posted in the office.

(f) The premises meet all applicable zoning requirements and municipal requirements.

(3) An established place of business for a wholesaler shall satisfy all of the following requirements:

(a) The premises shall contain a permanently enclosed building or structure that is either owned, leased, or rented by a wholesaler, which is not a commercial mailbox, tent, temporary stand, or other temporary quarters.

(b) All books, records, and files necessary to conduct the business of the wholesaler shall be maintained in the building or structure described in subdivision (a).

(c) The premises shall not be used for the display of vehicles. However, the premises may be used for the storage of vehicles purchased by the wholesaler prior to sale to a licensed vehicle dealer.

(d) The premises shall be identified by an exterior sign displaying the name of the wholesaler that is permanently affixed to the building or land with letters clearly visible from the roadway.

(e) The premises shall satisfy all applicable zoning requirements and any other applicable municipal requirements.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 2004, Act 495, Eff. Jan. 31, 2005;—Am. 2012, Act 498, Eff. Mar. 28, 2013.

**257.14a “Executive” or “manufacturer’s vehicle” defined.**

Sec. 14a. “Executive” or “manufacturer’s vehicle” means a motor vehicle provided by a manufacturer for the use and possession of an employee of the manufacturer, which is titled to the manufacturer, or which is driven with special manufacturer’s plates as provided in section 244.

**History:** Add. 1975, Act 314, Imd. Eff. Dec. 22, 1975.

**257.15 “Explosives” defined.**

Sec. 15. “Explosives” means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.16 “Farm tractor” defined.**

Sec. 16. “Farm tractor” means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.17 “Flammable liquid” defined.**

Sec. 17. “Flammable liquid” means any liquid which has a flash point of 70° F., or less, as determined by a tagliabue or equivalent closed-cup test device.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.17a “Foreign salvage vehicle dealer” defined.**

Sec. 17a. “Foreign salvage vehicle dealer” means a person who is a licensed dealer in another state and is engaged in this state in the business of purchasing, selling, or otherwise dealing on a wholesale basis in salvageable parts or vehicles of a type required to have a salvage or scrap certificate of title under this act.

**History:** Add. 1988, Act 255, Eff. Oct. 1, 1989;—Am. 1992, Act 304, Imd. Eff. Dec. 21, 1992;—Am. 1993, Act 300, Eff. Jan. 1, 1994.

**257.17b “Fund-raising registration plate” and “state-sponsored goal” defined.**

Sec. 17b. “Fund-raising registration plate” means a registration plate that contains a design or logo representing a symbol for a Michigan university or state-sponsored goal and is issued by the secretary of state to raise funds for the respective Michigan university or state-sponsored goal. As used in this section, “state-sponsored goal” means the purpose for which a state-sponsored fund-raising registration plate is authorized under section 811e.

**History:** Add. 2000, Act 77, Eff. Oct. 1, 2000.

**257.17c “Flood vehicle” defined.**

Sec. 17c. “Flood vehicle” means a vehicle that was submerged in water to the point that water entered the passenger compartment or trunk over the sill of the trunk floor pan or doorsill or a vehicle acquired by an insurance company as part of the settlement of a water damage claim.

**History:** Add. 2002, Act 485, Eff. Oct. 1, 2002.

**257.18 Definitions, F.**

Sec. 18. (1) “Foreign vehicle” means a vehicle of a type required to be registered under this act and brought into this state from another state, territory, or country other than in the ordinary course of business by or through a manufacturer or dealer, and not registered in this state.

(2) “Former section 625(1) or (2)” means section 625(1) or (2) as amended by Act No. 391 of the Public Acts of 1978, Act No. 515 of the Public Acts of 1980, Act No. 309 of the Public Acts of 1982, or Act No. 109 of the Public Acts of 1987.

(3) “Former section 625b” means section 625b as amended by Act No. 285 of the Public Acts of 1976, Act No. 515 of the Public Acts of 1980, Act No. 309 of the Public Acts of 1982, or Act No. 109 of the Public Acts of 1987.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1991, Act 99, Eff. Jan. 1, 1992.



#### **257.18a “Freeway” defined.**

Sec. 18a. “Freeway” means a divided arterial highway for through traffic with full control of access and with all crossroads separated in grade from pavements for through traffic.

**History:** Add. 1961, Act 164, Eff. Sept. 8, 1961.

#### **257.18b “Gross combination weight rating” or “GCWR” and “gross vehicle weight rating” or “GVWR” defined.**

Sec. 18b. (1) “Gross combination weight rating” or “GCWR” means the value specified by the manufacturer as the loaded weight of a combination vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on that unit.

(2) “Gross vehicle weight rating” or “GVWR” means the value specified by the manufacturer as the loaded weight of a single vehicle.

**History:** Add. 1988, Act 346, Imd. Eff. Oct. 25, 1988.

**Compiler's note:** Section 2 of Act 346 of 1988 provides:

“(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

“(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

“(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act.”

Section 2 of Act 173 of 1989 provides:

“(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

“(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed.”

#### **257.19 “Gross weight” defined.**

Sec. 19. “Gross weight” means the weight of a vehicle without load plus the weight of any load thereon.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.19a “Disabled person” and “person with disabilities” defined.**

Sec. 19a. “Disabled person” or “person with disabilities” means a person who is determined by a physician, a physician assistant, or an optometrist as specifically provided in this section licensed to practice in this state to have 1 or more of the following physical characteristics:

(a) Blindness as determined by an optometrist, a physician, or a physician assistant.

(b) Inability to walk more than 200 feet without having to stop and rest.

(c) Inability to do both of the following:

(i) Use 1 or both legs or feet.

(ii) Walk without the use of a wheelchair, walker, crutch, brace, prosthetic, or other device, or without the assistance of another person.

(d) A lung disease from which the person's forced expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or from which the person's arterial oxygen tension is less than 60 mm/hg of room air at rest.

(e) A cardiovascular condition that causes the person to measure between 3 and 4 on the New York heart classification scale, or that renders the person incapable of meeting a minimum standard for cardiovascular health that is established by the American heart association and approved by the department of public health.

(f) An arthritic, neurological, or orthopedic condition that severely limits the person's ability to walk.

(g) The persistent reliance upon an oxygen source other than ordinary air.

**History:** Add. 1977, Act 19, Eff. Oct. 1, 1977;—Am. 1978, Act 64, Imd. Eff. Mar. 14, 1978;—Am. 1989, Act 89, Eff. Sept. 19, 1989;—Am. 1994, Act 104, Eff. Oct. 1, 1994;—Am. 1994, Act 432, Imd. Eff. Jan. 6, 1995;—Am. 1996, Act 198, Imd. Eff. May 17, 1996;—Am. 1998, Act 68, Imd. Eff. May 4, 1998;—Am. 2002, Act 618, Imd. Eff. Dec. 23, 2002.

#### **257.19b “Hazardous material” defined.**

Sec. 19b. “Hazardous material” means explosives, flammable gas, flammable compressed gas, nonflammable compressed gas, flammable liquid, oxidizing material, poisonous gas, poisonous liquid, irritating material, etiologic material, radioactive material, corrosive material, or liquefied petroleum gas.

**History:** Add. 1978, Act 57, Imd. Eff. Mar. 10, 1978.

#### **257.20 “Highway or street” defined.**

Sec. 20. “Highway or street” means the entire width between the boundary lines of every way publicly

maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.20a "Historic vehicle" defined.**

Sec. 20a. "Historic vehicle" means a vehicle that is over 25 years old, and that is owned solely as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses, including mechanical testing, but is not used for general transportation. For purposes of this section, use of the vehicle during the month of August in each year is considered an exhibition.

**History:** Add. 1996, Act 404, Eff. Dec. 21, 1996;—Am. 2012, Act 239, Imd. Eff. June 29, 2012.

#### **257.20d "Ignition interlock device" defined.**

Sec. 20d. "Ignition interlock device" means an alcohol concentration measuring device that prevents a motor vehicle from being started at any time without first determining through a deep lung sample the operator's alcohol level, calibrated so that the motor vehicle cannot be started if the breath alcohol level of the operator, as measured by the test, reaches a level of 0.025 grams per 210 liters of breath, and to which all of the following apply:

(a) The device meets or exceeds the model specifications for breath alcohol ignition interlock devices (BAIID), 57 FR 11772 - 11787 (April 7, 1992).

(b) The device utilizes alcohol-specific electrochemical fuel sensor technology.

(c) As its anticircumvention method, the device installation uses a positive-negative-positive air pressure test requirement, a midtest hum tone requirement, or any other anticircumvention method or technology that first becomes commercially available after July 31, 2007 and that is approved by the department as equally or more effective.

**History:** Add. 2008, Act 462, Eff. Oct. 31, 2010.

#### **257.21 "Implement of husbandry" defined.**

Sec. 21. "Implement of husbandry" means a vehicle or trailer in use for the exclusive function of serving agricultural, horticultural, or livestock operations. Implement of husbandry includes a farm tractor, self-propelled application-type vehicle, farm wagon, farm trailer, a vehicle or trailer adapted for lifting or carrying another implement of husbandry, or any substantially similar equipment used to transport products necessary for agricultural production.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1964, Act 13, Imd. Eff. Mar. 25, 1964;—Am. 1967, Act 93, Imd. Eff. June 21, 1967;—Am. 1985, Act 32, Imd. Eff. June 13, 1985;—Am. 2012, Act 589, Eff. Mar. 28, 2013.

#### **257.22 "Intersection" defined.**

Sec. 22. "Intersection" means: (a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of 2 highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes 2 roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes 2 roadways 30 feet or more apart, then every crossing of 2 roadways of such highways shall be regarded as a separate intersection.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.23 "Judgment" defined.**

Sec. 23. "Judgment" means any judgment which shall become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, maintenance, or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.23a "Juvenile adjudication" defined.**

Sec. 23a. "Juvenile adjudication" means either of the following:

(a) A finding of juvenile delinquency under chapter 403 of title 18 of the United States code, 18 U.S.C. 5031 to 5040 and 5042.

(b) The entry of a judgment or order of disposition by a court of another state that states or is based upon a finding that a juvenile has violated a law of another state, which violation would have been a criminal offense if committed by an adult in that state.

**History:** Add. 1993, Act 359, Eff. Sept. 1, 1994.

**257.23b “Juvenile disposition” defined.**

Sec. 23b. “Juvenile disposition” means the entry of an order of disposition for a juvenile found to be within the court’s jurisdiction under chapter XIIA of 1939 PA 288, MCL 712A.1 to 712A.32.

**History:** Add. 1998, Act 356, Eff. Oct. 1, 1999.

**257.24 “Laned roadway” defined.**

Sec. 24. “Laned roadway” means a roadway which is divided into 2 or more clearly marked lanes for vehicular traffic.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.24a “Leased vehicle” defined.**

Sec. 24a. “Leased vehicle” means a motor vehicle for which a person is granted possession for a contracted period of time and in return for a contracted sum.

**History:** Add. 1975, Act 314, Imd. Eff. Dec. 22, 1975.

**257.24b “Late model vehicle” defined.**

Sec. 24b. “Late model vehicle” means a vehicle weighing 8,000 pounds or less, manufactured in the current model year or the 5 model years immediately preceding the current model year, or, if over 8,000 pounds, a vehicle manufactured in the current model year or the 15 model years immediately preceding the current model year.

**History:** Add. 1978, Act 507, Eff. July 1, 1979.

**257.24c “Law of another state” defined.**

Sec. 24c. “Law of another state” means a law or ordinance enacted by another state or by a local unit of government in another state.

**History:** Add. 1991, Act 99, Eff. Jan. 1, 1992.

**257.25 “License” defined.**

Sec. 25. “License” means any driving privileges, license, temporary instruction permit, or temporary license issued under the laws of this state pertaining to the licensing of persons to operate motor vehicles.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1966, Act 247, Eff. Mar. 10, 1967.

**257.25a “Autocycle” defined.**

Sec. 25a. “Autocycle” means an enclosed motorcycle that is equipped with safety belts, rollbar, windshield, wipers, steering wheel, and equipment otherwise required on a motorcycle, and which has not more than 3 wheels in contact with the roadway at any 1 time.

**History:** Add. 1984, Act 328, Imd. Eff. Dec. 26, 1984.

**257.25b “Low-speed vehicle” defined.**

Sec. 25b. “Low-speed vehicle” means a self-propelled motor vehicle to which both of the following apply:

(a) The vehicle conforms to the definition of low-speed vehicle under 49 CFR 571.3(b).

(b) The vehicle meets the standard for low-speed vehicles under 49 CFR 571.500.

**History:** Add. 2000, Act 82, Eff. July 1, 2000;—Am. 2006, Act 377, Imd. Eff. Sept. 27, 2006.

**257.26 “Limited access highway” defined.**

Sec. 26. “Limited access highway” means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only, and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.27 “Local authorities” defined.**

Sec. 27. “Local authorities” means every municipal and other local board or body having authority to enact laws relating to traffic under the constitution and laws of this state.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.27a “Major component part” defined.**

Sec. 27a. “Major component part” means 1 of the following parts of a vehicle:

- (a) The engine.
- (b) The transmission.
- (c) The right or left front fender.
- (d) The hood.
- (e) A door allowing entrance to or egress from the vehicle’s passenger compartment of the vehicle.
- (f) The front or rear bumper.
- (g) The right or left rear quarter panel.
- (h) The deck lid, tailgate, or hatchback.
- (i) The trunk floor pan.
- (j) The cargo box of a pickup.
- (k) The frame, or if the vehicle has a unitized body, the supporting structure or structures that serve as the frame.
- (l) The cab of a truck.
- (m) The body of a passenger vehicle.

**History:** Add. 1988, Act 255, Eff. Oct. 1, 1989;—Am. 1992, Act 304, Imd. Eff. Dec. 21, 1992;—Am. 1993, Act 300, Eff. Jan. 1, 1994.

**257.28 “Manufacturer” defined.**

Sec. 28. “Manufacturer” means a person, firm, corporation or association engaged in the manufacture of new motor vehicles, trailers or trailer coaches or semi-trailers, as a regular business.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.29 “Maximum axle load” defined.**

Sec. 29. “Maximum axle load” means the gross weight over the axle which includes vehicles and load.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.30 “Metal tire” defined.**

Sec. 30. “Metal tire” means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard, non-resilient material.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.30a Repealed. 1978, Act 568, Eff. Jan. 6, 1979.**

**Compiler's note:** The repealed section defined “mobile home”.

**257.30b “Michigan university” defined.**

Sec. 30b. “Michigan university” means any of the following institutions of higher education:

- (a) Central Michigan University.
- (b) Eastern Michigan University.
- (c) Ferris State University.
- (d) Grand Valley State University.
- (e) Lake Superior State University.
- (f) Michigan State University.
- (g) Michigan Technological University.
- (h) Northern Michigan University.
- (i) Oakland University.
- (j) Saginaw Valley State University.
- (k) University of Michigan - Ann Arbor.
- (l) University of Michigan - Dearborn.
- (m) University of Michigan - Flint.
- (n) Wayne State University.
- (o) Western Michigan University.

**History:** Add. 2000, Act 77, Eff. Oct. 1, 2000.

**257.30c “Modified agriculture vehicle” defined.**

Sec. 30c. “Modified agriculture vehicle” means a vehicle that satisfies both of the following conditions:

(a) It has been modified from its original use so that the transport of agricultural commodities is the vehicle's primary purpose.

(b) It is certified by the United States department of transportation and United States environmental protection agency for road use before being modified as described in subdivision (a).

**History:** Add. 2012, Act 252, Imd. Eff. July 2, 2012.

#### **257.31 "Motorcycle" defined.**

Sec. 31. "Motorcycle" means every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than 3 wheels in contact with the ground but excluding a tractor.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.32 Repealed. 1976, Act 439, Imd. Eff. Jan. 13, 1977.**

**Compiler's note:** The repealed section defined "motor driven cycle".

#### **257.32a "Motor home" defined.**

Sec. 32a. "Motor home" means a motor vehicle constructed or altered to provide living quarters, including permanently installed cooking and sleeping facilities, and is used for recreation, camping, or other noncommercial use.

**History:** Add. 1976, Act 26, Imd. Eff. Feb. 27, 1976.

#### **257.32b "Moped" defined.**

Sec. 32b. "Moped" means a 2- or 3-wheeled vehicle to which both of the following apply:

(a) It is equipped with a motor that does not exceed 100 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface.

(b) Its power drive system does not require the operator to shift gears.

**History:** Add. 1976, Act 439, Imd. Eff. Jan. 13, 1977;—Am. 1983, Act 91, Imd. Eff. June 16, 1983;—Am. 2012, Act 424, Imd. Eff. Dec. 21, 2012.

#### **257.33 "Motor vehicle" defined.**

Sec. 33. "Motor vehicle" means every vehicle that is self-propelled, but for purposes of chapter 4 of this act motor vehicle does not include industrial equipment such as a forklift, a front-end loader, or other construction equipment that is not subject to registration under this act. Motor vehicle does not include an electric patrol vehicle being operated in compliance with the electric patrol vehicle act. Motor vehicle does not include an electric personal assistive mobility device. Motor vehicle does not include an electric carriage.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1993, Act 300, Eff. Jan. 1, 1994;—Am. 1995, Act 140, Imd. Eff. July 10, 1995;—Am. 1997, Act 56, Imd. Eff. July 1, 1997;—Am. 2002, Act 494, Imd. Eff. July 3, 2002;—Am. 2013, Act 36, Imd. Eff. May 21, 2013.

#### **257.33a "New motor vehicle" defined.**

Sec. 33a. "New motor vehicle" means a motor vehicle which is not and has not been a demonstrator, executive or manufacturer's vehicle, leased vehicle, or a used or second hand vehicle.

**History:** Add. 1975, Act 314, Imd. Eff. Dec. 22, 1975.

#### **257.33b "Nonprofit recycling center" defined.**

Sec. 33b. "Nonprofit recycling center" means a nonprofit facility designed and operated solely for receiving, storing, processing, and transferring source-separated recyclable materials such as paper, metal, glass, food waste, office paper, and plastic that are kept separate and apart from residential, commercial, and institutional solid waste by the generator of the waste for the purposes of collection, disposition, and recycling.

**History:** Add. 1995, Act 129, Imd. Eff. June 30, 1995.

#### **257.34 "Nonresident" defined.**

Sec. 34. "Nonresident" means every person who is not a resident of this state.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.35 "Nonresident operating privilege" defined.**

Sec. 35. "Nonresident operating privilege" means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by him of a motor vehicle, or the use of a motor vehicle owned by him, in this state.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.



**257.35a “Operate” or “operating” defined.**

Sec. 35a. “Operate” or “operating” means being in actual physical control of a vehicle regardless of whether or not the person is licensed under this act as an operator or chauffeur.

**History:** Add. 1978, Act 139, Eff. May 1, 1979;—Am. 1980, Act 515, Eff. Apr. 1, 1981.

**257.35b “Older model vehicle” defined.**

Sec. 35b. “Older model vehicle” means a vehicle weighing 8,000 pounds or less, manufactured in the sixth model year immediately preceding the current model year, or manufactured in any model year before that model year; or, if more than 8,000 pounds, a vehicle manufactured in a model year preceding the fifteenth model year before the current model year.

**History:** Add. 1978, Act 507, Eff. July 1, 1979.

**257.35c “Off lease vehicle” defined.**

Sec. 35c. “Off lease vehicle” means a motor vehicle leased for a term of more than 30 days that the lessee elects to purchase.

**History:** Add. 2002, Act 652, Eff. Jan. 1, 2003.

**257.36 “Operator” defined.**

Sec. 36. “Operator” means every person, other than a chauffeur, who is in actual physical control of a motor vehicle upon a highway.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.36a “Owner-operator” defined.**

Sec. 36a. “Owner-operator” means an individual who holds the legal title of a commercial vehicle and who leases the commercial vehicle under a lease or arrangement whereby the individual is employed by the lessee to operate the leased vehicle.

**History:** Add. 1969, Act 309, Imd. Eff. Aug. 14, 1969.

**257.36b “Out-of-service” defined.**

Sec. 36b. “Out-of-service” means a declaration by an authorized enforcement officer of a state, a local unit of government of a state, the United States, Canada, or the United Mexican States that an operator, a commercial motor vehicle, or a motor carrier operation is out-of-service under 49 CFR 386.72, 392.5, 395.13, or 396.9, or a substantially similar law or ordinance, or the North American uniform out-of-service criteria.

**History:** Add. 2011, Act 159, Imd. Eff. Sept. 30, 2011.

**257.37 “Owner” defined.**

Sec. 37. “Owner” means any of the following:

- (a) Any person, firm, association, or corporation renting a motor vehicle or having the exclusive use thereof, under a lease or otherwise, for a period that is greater than 30 days.
- (b) Except as otherwise provided in section 401a, a person who holds the legal title of a vehicle.
- (c) A person who has the immediate right of possession of a vehicle under an installment sale contract.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1988, Act 125, Imd. Eff. May 23, 1988.

**257.38 “Parking” defined.**

Sec. 38. “Parking” means standing a vehicle, whether occupied or not, upon a highway, when not loading or unloading except when making necessary repairs.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.38a “Park model trailer” defined.**

Sec. 38a. “Park model trailer” means a vehicle that meets all of the following:

- (a) Is built on a single chassis, mounted on wheels, and designed to be towed by a motor vehicle from time to time.
- (b) Depending on its size, may require a special highway movement permit under section 719a to be towed on a street or highway.
- (c) Is designed to provide recreational, seasonal, or temporary living quarters.
- (d) When used as recreational, seasonal, or temporary living quarters, may be connected to utilities necessary for the operation of installed fixtures and appliances.
- (e) Is not a mobile home as that term is defined in section 2 of the mobile home commission act, 1987 PA

96, MCL 125.2302.

**History:** Add. 2009, Act 32, Eff. Dec. 1, 2009.

**257.39 “Pedestrian” defined.**

Sec. 39. “Pedestrian” means any person afoot.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.39a “Permanent disability” defined.**

Sec. 39a. “Permanent disability” means a physical characteristic categorized as a disability that significantly limits ambulation or necessitates the use of a wheelchair for mobility, or blindness, for which there is a present medical expectation that the disability will always persist and never significantly improve.

**History:** Add. 1987, Act 257, Eff. Apr. 1, 1988;—Am. 1998, Act 68, Imd. Eff. May 4, 1998.

**257.40 “Person” defined.**

Sec. 40. “Person” means every natural person, firm, copartnership, association, or corporation and their legal successors.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.40a “Pickup camper” defined.**

Sec. 40a. “Pickup camper” means a nonself-propelled recreational vehicle, without wheels for road use, that is designed to rest all of its weight upon, and be attached to, a motor vehicle, and is primarily intended for use as temporary living quarters in connection with recreational, camping, or travel purposes. A pickup camper does not include truck covers or caps consisting of walls and a roof but that do not have floors and facilities for using the camper as a dwelling.

**History:** Add. 1990, Act 98, Eff. Jan. 1, 1991.

**257.40b “Personal information” and “highly restricted personal information” defined.**

Sec. 40b. (1) “Personal information” means information that identifies an individual, including the individual's photograph or image, name, address (but not the zip code), driver license number, social security number, telephone number, digitized signature, and medical and disability information. Personal information does not include information on driving and equipment-related violations or civil infractions, driver or vehicle registration status, vehicular accidents, or other behaviorally-related information.

(2) “Highly restricted personal information” means an individual's photograph or image, social security number, digitized signature, medical and disability information, and source documents presented by an applicant to obtain an operator's or chauffeur's license under section 307(1). Highly restricted personal information also includes emergency contact information under section 310(13).

**History:** Add. 1997, Act 100, Imd. Eff. Aug. 7, 1997;—Am. 2008, Act 7, Imd. Eff. Feb. 15, 2008;—Am. 2012, Act 498, Eff. Mar. 28, 2013.

**257.41 “Pole-trailer” defined.**

Sec. 41. “Pole-trailer” means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

**257.41a “Police book” defined.**

Sec. 41a. “Police book” means a hardcover, bound volume or a record in a form prescribed by the secretary of state that provides a bought and sold record for each vehicle handled by a dealer, contains the information required by section 251, and includes any other information required by law or the secretary of state.

**History:** Add. 1988, Act 255, Eff. Oct. 1, 1989;—Am. 1992, Act 304, Imd. Eff. Dec. 21, 1992;—Am. 1993, Act 300, Eff. Jan. 1, 1994;—Am. 1998, Act 384, Eff. Jan. 1, 1999.

**257.42 “Police officer” defined.**

Sec. 42. “Police officer” means any of the following:

- (a) A sheriff or sheriff's deputy.
- (b) A village or township marshal.

- (c) An officer of the police department of any city, village, or township.
- (d) An officer of the Michigan state police.
- (e) A peace officer who is trained and certified under the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616.
- (f) For purposes of enforcing sections 215, 255, 631(1) other than for speed by noncommercial vehicle operators, 717, 719, 719a, 720, 722, 724, 725, and 726, a duly authorized agent of a county road commission meeting the requirements of section 726c. However, an authorized agent of a county road commission shall only enforce sections 215 and 255 with respect to commercial vehicles. Except as provided in section 726c(2), an authorized agent of a county road commission is not required to be certified as a police officer under the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616, to enforce any law described in this subdivision.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1983, Act 10, Imd. Eff. Mar. 18, 1983;—Am. 1984, Act 74, Imd. Eff. Apr. 18, 1984;—Am. 1989, Act 173, Imd. Eff. Aug. 22, 1989;—Am. 2012, Act 529, Eff. Mar. 28, 2013.

#### **257.43 “Police station” defined.**

Sec. 43. “Police station” means every county jail; every police station in any city, village, or township; and the headquarters and every regular subpost of the Michigan state police.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1983, Act 10, Imd. Eff. Mar. 18, 1983.

#### **257.44 “Private driveway” and “private road” defined.**

Sec. 44. (1) “Private driveway” means any piece of privately owned and maintained property which is used for vehicular traffic, but is not open or normally used by the public.

(2) “Private road” means a privately owned and maintained road, allowing access to more than 1 residence or place of business, which is normally open to the public and upon which persons other than the owners located thereon may also travel.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1974, Act 138, Imd. Eff. June 5, 1974.

#### **257.44a “Probate court disposition” defined.**

Sec. 44a. “Probate court disposition” means the entry of an order of disposition for a juvenile found to be within the court’s jurisdiction under chapter XIIA of 1939 PA 288, MCL 712A.1 to 712A.32.

**History:** Add. 1993, Act 359, Eff. Sept. 1, 1994;—Am. 1998, Act 356, Eff. Oct. 1, 1999.

#### **257.45 “Proof of financial responsibility” defined.**

Sec. 45. “Proof of financial responsibility” means proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of the proof, arising out of the ownership, maintenance, or use of a motor vehicle, in the amount of \$20,000.00 because of bodily injury to or death of 1 person in any one accident, and, subject to said limit for 1 person, in the amount of \$40,000.00 because of bodily injury to or death of 2 or more persons in any one accident, and in the amount of \$10,000.00 because of injury to or destruction of property of others in any one accident.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1958, Act 155, Eff. Sept. 13, 1958;—Am. 1971, Act 191, Imd. Eff. Dec. 20, 1971.

#### **257.45a “Prosecuting attorney” defined.**

Sec. 45a. “Prosecuting attorney”, except as the context otherwise requires, means the attorney general, the prosecuting attorney of a county, or the attorney representing a local unit of government.

**History:** Add. 1991, Act 99, Eff. Jan. 1, 1992.

#### **257.46 “Railroad” defined.**

Sec. 46. “Railroad” means a carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.47 “Railroad sign or signal” defined.**

Sec. 47. “Railroad sign or signal” means any sign, signal, or device erected by authority of a statute or public body or official and intended to give notice of the presence of railroad tracks or structures or the approach of a railroad train.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1958, Act 98, Eff. Sept. 13, 1958.

#### **257.48 “Railroad track” defined.**

Sec. 48. "Railroad track" means every pair or group of pairs, as the case may be, of any railroad or traction company, except municipal street car companies.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.49 "Railroad train" defined.**

Sec. 49. "Railroad train" means a steam engine, electric or other motor with or without cars coupled thereto, operated upon rails, except street cars.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.49a "Recreational vehicle" defined.**

Sec. 49a. "Recreational vehicle" means a new or used vehicle that has its own motive power or is towed by a motor vehicle; is primarily designed to provide temporary living quarters for recreational, camping, travel, or seasonal use; complies with all applicable federal vehicle regulations; and does not require a special highway movement permit under section 719a to be operated or towed on a street or highway. The term includes, but is not limited to, a motor home, travel trailer, park model trailer that does not require a special highway movement permit under section 719a, or pickup camper.

**History:** Add. 2009, Act 32, Eff. Dec. 1, 2009.

#### **257.50 "Registration" defined.**

Sec. 50. "Registration" means a registration certificate, plate, adhesive tab, or other indicator of registration issued under this act for display on a vehicle.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 548, Imd. Eff. Dec. 22, 1978.

#### **257.50a "Residence address" defined.**

Sec. 50a. "Residence address" means the place that is the settled home or domicile at which a person legally resides as defined in section 11 of the Michigan election law, 1954 PA 116, MCL 168.11.

**History:** Add. 1999, Act 118, Eff. Apr. 1, 2000;—Am. 2008, Act 7, Imd. Eff. Feb. 15, 2008.

#### **257.51 Repealed. 2006, Act 85, Eff. Nov. 9, 2006.**

**Compiler's note:** The repealed section pertained to "residence district" defined.

#### **257.51a "Resident" defined.**

Sec. 51a. "Resident" means every person who resides in this state and establishes that he or she is legally present in the United States. This definition applies to the provisions of this act only.

**History:** Add. 1968, Act 106, Imd. Eff. June 7, 1968;—Am. 2008, Act 7, Imd. Eff. Feb. 15, 2008.

#### **257.52 "Revocation" defined.**

Sec. 52. (1) "Revocation" means that the operator's or chauffeur's license and privilege to operate a motor vehicle on the public highways are terminated and shall not be renewed or restored until the later of the following:

(a) The expiration of not less than 1 year after the license was revoked.

(b) The expiration of not less than 5 years after the date of a subsequent revocation occurring within 7 years after the date of a prior revocation.

(2) If a license has been revoked, an application for a new license may be presented and acted upon by the secretary of state as provided in section 303.

(3) When referring to a dealer license, "revocation" means that a person's authorization to engage in business as a dealer is terminated and shall not be restored or renewed, except that an application for a new license may be considered at the discretion of the secretary of state.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 507, Eff. July 1, 1979;—Am. 1982, Act 310, Eff. Mar. 30, 1983;—Am. 1991, Act 99, Eff. Jan. 1, 1992.

**Compiler's note:** Section 2 of Act 310 of 1982 provides: "All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory act, or initiated after the effective date of this amendatory act for an offense committed before that effective date."

#### **257.53 "Right-of-way" defined.**

Sec. 53. "Right-of-way" means the privilege of the immediate use of the highway.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.54 "Road tractor" defined.**

Rendered Wednesday, December 4, 2013

Page 17

Michigan Compiled Laws Complete Through PA 180 of 2013

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Sec. 54. "Road tractor" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of the vehicle or load so drawn.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.55 "Roadway" defined.**

Sec. 55. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes 2 or more separate roadways, the term "roadway", as used herein, shall refer to any such roadway separately, but not to all such roadways collectively.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.56 "Safety zone" defined.**

Sec. 56. "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected and so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.56a "Salvage vehicle" defined.**

Sec. 56a. "Salvage vehicle" means a vehicle for which a salvage certificate has been issued by the secretary of state.

**History:** Add. 1978, Act 507, Eff. July 1, 1979.

#### **257.56b "Salvageable part" defined.**

Sec. 56b. "Salvageable part" means a major component part of a late model vehicle or a vehicle manufactured in the current model year, if the part is serviceable to the extent that it can be reused.

**History:** Add. 1988, Act 255, Eff. Oct. 1, 1989;—Am. 1992, Act 304, Imd. Eff. Dec. 21, 1992;—Am. 1993, Act 300, Eff. Jan. 1, 1994.

#### **257.56c "Salvage vehicle agent" defined.**

Sec. 56c. "Salvage vehicle agent" means a person employed by a licensed automotive recycler, used or secondhand vehicle parts dealer, or foreign salvage vehicle dealer and authorized by the secretary of state to buy, sell, acquire, or otherwise deal in distressed, late model vehicles, scrap vehicles, or salvageable parts through a salvage pool.

**History:** Add. 1993, Act 300, Eff. July 1, 1994.

#### **257.57 "School bus" defined.**

Sec. 57. "School bus" means every motor vehicle, except station wagons, with a manufacturers' rated seating capacity of 16 or more passengers, including the driver, owned by a public, private, or governmental agency and operated for the transportation of children to or from school, or privately owned and operated for compensation for the transportation of children to or from school.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1964, Act 22, Eff. Aug. 28, 1964;—Am. 1981, Act 112, Imd. Eff. July 17, 1981;—Am. 1988, Act 346, Eff. Jan. 1, 1990;—Am. 2011, Act 159, Imd. Eff. Sept. 30, 2011.

**Compiler's note:** Section 2 of Act 346 of 1988 provides:

"(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

"(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

"(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act."

Section 2 of Act 173 of 1989 provides:

"(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

"(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed."

#### **257.57a "School crossing" defined.**

Sec. 57a. "School crossing" means a crosswalk designated by the department of state highways and transportation, a county road commission, or a local authority as a place to be used by school children for crossing a street or highway.

**History:** Add. 1978, Act 227, Imd. Eff. June 14, 1978.

#### **257.57b "School crossing guard" defined.**



Sec. 57b. "School crossing guard" means a person 17 years of age or older authorized to supervise children using a school crossing as provided in section 613c.

**History:** Add. 1978, Act 227, Imd. Eff. June 14, 1978;—Am. 2003, Act 212, Imd. Eff. Nov. 26, 2003.

#### **257.57c Repealed. 2002, Act 534, Eff. Oct. 1, 2002.**

**Compiler's note:** The repealed section pertained to definition of school transportation vehicle.

#### **257.57d "Scrap certificate of title" defined.**

Sec. 57d. "Scrap certificate of title" means a document issued by the secretary of state evidencing ownership of a scrap vehicle, which may be assigned only to a scrap metal processor, an automotive recycler, used or secondhand vehicle parts dealer, or a foreign salvage vehicle dealer and reassignable only to a vehicle scrap metal processor.

**History:** Add. 1993, Act 300, Eff. July 1, 1994.

#### **257.57e "Scrap vehicle" defined.**

Sec. 57e. "Scrap vehicle" means a vehicle that is wrecked, destroyed, damaged, or that has a major component part stolen or missing to the extent that the total estimated cost of repairs to rebuild or reconstruct the vehicle, including parts and labor, is equal to or greater than 91% of the actual cash value of the vehicle in its predamaged condition or any vehicle that comes into this state with a scrap title or comparable certificate of title. The estimated cost of the repair parts shall be determined by using the current published retail cost of original manufacturer equipment parts or an estimate of the actual cost of the repair parts. The estimated labor costs shall be computed by using the hourly rate and time allocations which are reasonable and commonly assessed in the repair industry in the community where the repairs are performed. For the purpose of this section, "actual cash value" means the retail dollar value of a vehicle as determined by an objective vehicle evaluation using local market resources such as dealers or want ads or by an independent vehicle evaluation or vehicle appraisal service or by a current issue of a nationally recognized used vehicle guide for financial institution appraisal purposes in this state.

**History:** Add. 1993, Act 300, Eff. July 1, 1994.

#### **257.58 "Secretary of state" defined.**

Sec. 58. "Secretary of state" means the secretary of state of this state, acting directly or through his duly authorized deputy, investigators, agents and employees.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.58b "Security interest," "security agreement," "secured party," "debtor," "financing statement," and "termination statement" defined.**

Sec. 58b. "Security interest", "security agreement", "secured party", "debtor", "financing statement", and "termination statement" as used in this act mean those terms as defined in the uniform commercial code, 1962 PA 174, MCL 440.1101 to 440.11102.

**History:** Add. 1964, Act 248, Eff. Jan. 1, 1965;—Am. 2000, Act 353, Eff. Mar. 28, 2001.

#### **257.58c "Serious impairment of a body function" defined.**

Sec. 58c. "Serious impairment of a body function" includes, but is not limited to, 1 or more of the following:

- (a) Loss of a limb or loss of use of a limb.
- (b) Loss of a foot, hand, finger, or thumb or loss of use of a foot, hand, finger, or thumb.
- (c) Loss of an eye or ear or loss of use of an eye or ear.
- (d) Loss or substantial impairment of a bodily function.
- (e) Serious visible disfigurement.
- (f) A comatose state that lasts for more than 3 days.
- (g) Measurable brain or mental impairment.
- (h) A skull fracture or other serious bone fracture.
- (i) Subdural hemorrhage or subdural hematoma.
- (j) Loss of an organ.

**History:** Add. 2001, Act 134, Eff. Feb. 1, 2002.

#### **257.59 "Semi-trailer" defined.**

Sec. 59. "Semi-trailer" means every vehicle with or without motive power, other than a pole-trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that

some part of its weight and that of its load rests upon or is carried by another vehicle. Semi-trailer does not include any implement of husbandry.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 2012, Act 589, Eff. Mar. 28, 2013.

#### **257.59a “Shoulder” and “ditch slope” defined.**

Sec. 59a. “Shoulder” means that portion of the highway contiguous to the roadway generally extending the contour of the roadway, not designed for vehicular travel but maintained for the temporary accommodation of disabled or stopped vehicles otherwise permitted on the roadway.

“Ditch slope” is that portion of the highway adjacent to the shoulder if one exists or adjacent to the roadway on roads without shoulders, extending to the bottom of the roadside ditch and is not constructed or maintained for the use of any vehicles except those engaged in construction or maintenance.

**History:** Add. 1974, Act 152, Imd. Eff. June 12, 1974.

#### **257.60 “Sidewalk” defined.**

Sec. 60. “Sidewalk” means that portion of a street between the curb lines, or the lateral lines of roadway, and the adjacent property lines intended for the use of pedestrians.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.61 “Spacings between axles” defined.**

Sec. 61. “Spacings between axles” means the distance from axle center to axle center.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.62 “Special mobile equipment” defined.**

Sec. 62. “Special mobile equipment” means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm tractors, road construction or maintenance machinery, mobile office trailers, mobile tool shed trailers, mobile trailer units used for housing stationary construction equipment, ditch-digging apparatus, and well-boring and well-servicing apparatus. The foregoing enumeration shall be considered partial and shall not operate to exclude other vehicles which are within the general terms of this definition. Although not within the general terms of this definition, the combination of a mobile car crusher trailer permanently attached to a truck tractor or road tractor shall be considered special mobile equipment for purposes of this act.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1962, Act 66, Imd. Eff. Apr. 23, 1962;—Am. 1992, Act 119, Imd. Eff. June 26, 1992.

#### **257.63 “Street car” defined.**

Sec. 63. “Street car” means a car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.64 “Street or highway” defined.**

Sec. 64. “Street or highway” means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.65 “State” defined.**

Sec. 65. “State” means any state, territory, or possession of the United States, Indian country as defined in 18 USC 1151, the District of Columbia, the Dominion of Canada, or any province or territory of the Dominion of Canada.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1994, Act 449, Eff. May 1, 1995;—Am. 2004, Act 62, Eff. May 3, 2004;—Am. 2004, Act 362, Imd. Eff. Oct. 4, 2004.

#### **257.66 “Suspension” defined.**

Sec. 66. “Suspension” means that the driver's license and privilege to drive a motor vehicle on the public highways are temporarily withdrawn but only during the period of the suspension. When referring to a dealer license, “suspension” means that a person's authorization to engage in business as a dealer is temporarily withdrawn.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 507, Eff. July 1, 1979.

#### **257.67 “Tandem axle” defined.**

Sec. 67. "Tandem axle" means 2 axles spaced more than 3 feet 6 inches and less than 9 feet apart.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.67a "Tandem axle assembly" and "tank vehicle" defined.**

Sec. 67a. (1) "Tandem axle assembly" means 2 axles spaced more than 3 feet 6 inches and less than 9 feet apart, 1 axle in front of the other and so attached to the vehicle wherein an attempt is made by connecting mechanism to distribute the weight equally between the 2 axles.

(2) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank that is either permanently or temporarily attached to the vehicle. Tank vehicle does not include a vehicle attached to a portable tank having a rated capacity less than 1,000 gallons.

**History:** Add. 1967, Act 277, Eff. Nov. 2, 1967;—Am. 1988, Act 346, Eff. Jan. 1, 1990.

**Compiler's note:** Section 2 of Act 346 of 1988 provides:

"(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

"(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

"(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act."

Section 2 of Act 173 of 1989 provides:

"(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

"(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed."

#### **257.67b "Temporary disability" defined.**

Sec. 67b. "Temporary disability" means a physical characteristic categorized as a disability that significantly limits ambulation or necessitates the use of a wheelchair for mobility, or blindness, for which there is a present medical expectation that the disability will improve.

**History:** Add. 1987, Act 257, Eff. Apr. 1, 1988;—Am. 1994, Act 104, Eff. Oct. 1, 1994;—Am. 1998, Act 68, Imd. Eff. May 4, 1998.

#### **257.68 "Through highway" defined.**

Sec. 68. "Through highway" means every state trunk line highway, or, any other highway at the entrance to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.69 "Traffic" defined.**

Sec. 69. "Traffic" means pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singly or together while using any highway for purposes of travel.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.70 "Traffic control devices" defined.**

Sec. 70. "Traffic control devices" means all signs, signals, markings, and devices not inconsistent with this act placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.71 "Traffic control order" defined.**

Sec. 71. "Traffic control order" means an order officially establishing the location of traffic control devices and traffic control signals on the highways of this state by the authority having jurisdiction over such highway and filed with the county clerk of the county traversed by such highway. A certified copy thereof shall be prima facie evidence in all courts of the issuance of such order.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.72 "Traffic control signal" defined.**

Sec. 72. "Traffic control signal" means any device whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.73 "Trailer" defined.**

Sec. 73. "Trailer" means every vehicle with or without motive power, other than a pole-trailer, designed for carrying property or persons and for being drawn by a motor vehicle and so constructed that no part of its

weight rests upon the towing vehicle. Trailer does not include any implement of husbandry.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 2012, Act 589, Eff. Mar. 28, 2013.

#### **257.74 “Trailer coach” defined.**

Sec. 74. “Trailer coach” means every vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes and drawn by another vehicle.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1951, Act 262, Eff. Sept. 28, 1951;—Am. 1978, Act 568, Eff. Jan. 6, 1979.

#### **257.74a “Travel trailer,” “camping trailer,” and “fifth wheel trailer” defined.**

Sec. 74a. (1) “Travel trailer” means a trailer coach, fifth wheel trailer, camping trailer, or other vehicle that is designed to be towed by a motor vehicle; is designed to provide temporary living quarters for recreational, camping, or travel use; and does not require a special highway movement permit under section 719a to be towed on a street or highway.

(2) As used in this section:

(a) “Camping trailer” means a trailer coach constructed with collapsible side walls that fold for towing and unfold to provide temporary living quarters for recreational, camping, or travel use.

(b) “Fifth wheel trailer” means a trailer coach designed to be towed by a motor vehicle using a towing mechanism that is mounted above or forward of the tow vehicle’s rear axle.

**History:** Add. 2009, Act 32, Eff. Dec. 1, 2009.

#### **257.75 “Truck” defined.**

Sec. 75. “Truck” means every motor vehicle designed, used, or maintained primarily for the transportation of property.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.76 “Transporter” defined.**

Sec. 76. “Transporter” means every person engaged in the business of delivering vehicles of a type required to be registered hereunder from a manufacturing, assembling or distributing plant to dealers or sales agents of a manufacturer, and every person certificated by the Michigan public service commission to engage in the business of moving trailer coaches or mobile homes. This section shall not affect duly authorized permit holders.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1961, Act 4, Imd. Eff. Mar. 27, 1961.

#### **257.77 “Truck tractor” defined.**

Sec. 77. “Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn, except that a truck tractor and semitrailer engaged in the transportation of automobiles may transport motor vehicles on part of the power unit.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1985, Act 174, Imd. Eff. Dec. 2, 1985.

#### **257.78 “Used or second-hand vehicle” defined.**

Sec. 78. “Used or second-hand vehicle” means any motor vehicle to which a certificate of title and license plates have been issued and which motor vehicle has been registered for use on the highways by a consumer or by a dealer.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1951, Act 238, Eff. Sept. 28, 1951.

#### **257.78a “Used vehicle parts dealer” or “used or secondhand vehicle parts dealer” defined.**

Sec. 78a. “Used vehicle parts dealer” or “used or secondhand vehicle parts dealer” means a person engaged in the business of buying or otherwise dealing in vehicles for the purpose of dismantling the vehicles to sell used parts and remaining scrap metal or a person engaged in the business of buying, acquiring, selling, or otherwise dealing in salvageable parts.

**History:** Add. 1978, Act 507, Eff. July 1, 1979;—Am. 1993, Act 300, Eff. Jan. 1, 1994.

#### **257.79 “Vehicle” defined.**

Sec. 79. “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices exclusively moved by human power or used exclusively upon stationary rails or tracks and except, only for the purpose of titling and registration under this act, a mobile home as defined in section 2 of the mobile home commission act, Act No. 96 of the Public Acts of 1987, being section 125.2302 of the Michigan Compiled Laws.

Rendered Wednesday, December 4, 2013

Page 22

Michigan Compiled Laws Complete Through PA 180 of 2013

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977;—Am. 1978, Act 568, Eff. Jan. 6, 1979;—Am. 1992, Act 134, Eff. Oct. 1, 1992.

#### **257.79a "Vehicle salvage pool" defined.**

Sec. 79a. "Vehicle salvage pool" means a person engaged in the business of storing and displaying damaged or distressed vehicles as an agent or escrow agent of an insurance company.

**History:** Add. 1978, Act 507, Eff. July 1, 1979.

#### **257.79b "Vehicle scrap metal processor" defined.**

Sec. 79b. "Vehicle scrap metal processor" means a dealer engaged in the business of buying or otherwise acquiring vehicles for the purpose of processing and selling the metal for remelting. A vehicle scrap metal processor shall not sell major components or other parts for vehicle repair purposes, unless the vehicle scrap metal processor first obtains a used or secondhand vehicle parts dealer license.

**History:** Add. 1978, Act 507, Eff. July 1, 1979.

#### **257.79c "Wrecker" defined.**

Sec. 79c. "Wrecker" means a truck with a hoist, towing apparatus, or self-loading flatbed, or any combination of these items, permanently affixed to the truck, used to transport not more than 2 vehicles, except for a motor vehicle equipped with a fifth wheel or a motor vehicle that tows the second vehicle on a trailer.

**History:** Add. 1994, Act 95, Eff. June 1, 1994.

#### **257.79d "Work zone" defined.**

Sec. 79d. "Work zone" means a portion of a street or highway that meets any of the following:

- (a) Is between a "work zone begins" sign and an "end road work" sign.
- (b) For construction, maintenance, or utility work activities conducted by a work crew and more than 1 moving vehicle, is between a "begin work convoy" sign and an "end work convoy" sign.
- (c) For construction, maintenance, surveying, or utility work activities conducted by a work crew and 1 moving or stationary vehicle exhibiting a rotating beacon or strobe light, is between the following points:
  - (i) A point that is 150 feet behind the rear of the vehicle or that is the point from which the beacon or strobe light is first visible on the street or highway behind the vehicle, whichever is closer to the vehicle.
  - (ii) A point that is 150 feet in front of the front of the vehicle or that is the point from which the beacon or strobe light is first visible on the street or highway in front of the vehicle, whichever is closer to the vehicle.

**History:** Add. 2003, Act 315, Eff. Apr. 8, 2004.

#### **257.79e "Wholesaler" defined.**

Sec. 79e. "Wholesaler" means a person who is engaged in the business of selling used vehicles to or purchasing used vehicles from a licensed motor vehicle dealer and who does not sell or offer for sale motor vehicles of any classification to a person other than a licensed motor vehicle dealer.

**History:** Add. 2004, Act 495, Imd. Eff. Dec. 29, 2004.

**Compiler's note:** Former MCL 257.79e, which pertained to definition of work zone, was repealed by Act 62 of 2004, Eff. Apr. 8, 2004.

#### **257.79f "Boat lift" defined.**

Sec. 79f. "Boat lift" means a vehicle owned and operated by a marina or watercraft dealer in a commercial boat storage operation with a framework designed to surround or straddle a boat and lift the boat from water or a storage space using a sling and hoisting mechanism. A boat lift shall be specifically designed for and used exclusively to transport a boat between a place of storage and a marina or in and around a marina. Boat lift does not include a boat trailer designed for normal or routine transportation of a watercraft.

**History:** Add. 2008, Act 539, Imd. Eff. Jan. 13, 2009.

#### **257.80 Tenses; definition.**

Sec. 80. The present tense includes the past and future tenses; and the future, the present.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.

#### **257.81 Number and gender; definitions.**

Sec. 81. The singular shall include the plural and the plural shall include the singular; the masculine shall include the feminine and neuter, as requisite.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.



**257.82 “Shall” and “may” defined.**

Sec. 82. “Shall” and “may” means shall is mandatory and may is permissive.

**History:** 1949, Act 300, Eff. Sept. 23, 1949.